



United States Department of the Interior

FISH AND WILDLIFE SERVICE

5275 Leesburg Pike, MS: IRTM
Falls Church, VA 22041



IN REPLY REFER TO:
FWS-2018-01005

November 28, 2018

Chris Saeger, Executive Director
Western Values Project
704C East 13th Street, Suite 568
Whitefish, MT 59937

Dear Mr. Saeger:

The U.S. Fish & Wildlife Service (Service) Freedom of Information Act (FOIA) office received your FOIA request, dated June 22, 2018, on July 5, 2018 and assigned it control number FWS-2018-01005. Please cite this number in any future communications with our office regarding your request. You requested the following:

"...copies of all correspondence, including but not limited to letters, texts, emails, and faxes, related to the issuance of grants that include any the following keywords, sent to FWS officials by officials in the Interior Department's Office of Policy Management, and Budget, including Scott Cameron and Steve Howke, since September 1, 2017."

Keywords

- "Climate change"
- "Landscape management"
- "Habitat management"
- "Endangered species"
- "Threatened species"
- "Sage grouse"
- "Resilience Management"
- "Resiliency Management"
- "Resilience Planning"
- "Resiliency Planning"
- "Bears Ears"
- "Grand Staircase-Escalante"
- "National Monuments"
- "National Monument"
- "Antiquities"
- "Anti-looting"
- "Protected public lands"

"...All correspondence" should include, but not be limited to, copies of digital and hardcopy information sent by, sent to, carbon copying ("CC"), or blind carbon copying ("BCC") any of these individuals during this time period."

We use Multitrack Processing to process FOIA requests. The Simple track is for requests that can be processed in one to five workdays. The Normal track is for requests that can be processed in six to twenty workdays. The Complex track is for requests that can be processed in twenty-one to sixty workdays. The Exceptional/Voluminous track is for requests requiring more than sixty

workdays for processing. The Expedited track is for requests that have been granted expedited processing. Within each track, requests are usually processed on a first-in, first-out basis. Your request falls into the Complex track.

We have classified you as an “other-use” requester. As such, we may charge you for some of our search and duplication costs, but we will not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. See 43 C.F.R. § 2.39. If, after taking into consideration your fee category entitlements, our processing costs are less than \$50.00, we will not bill you because the cost of collection would be greater than the fee collected. See 43 C.F.R. § 2.37(g)

However, you have asked us to waive the fees for processing your request. Our FOIA regulations state that bureaus will waive, or partially waive, fees if disclosure of all or part of the information is:

- (1) In the public interest because it is likely to contribute significantly to public understanding of government operations or activities, and
- (2) Not primarily in your commercial interest.

See [43 C.F.R. § 2.45\(a\)](#). Our FOIA regulations also provide four specific criteria that are used to determine whether these two requirements are met. See [43 C.F.R. § 2.48\(a\)](#). Your fee waiver request justification was received by this office on June 22, 2018. It adequately addresses these criteria or contains enough evidence to support your request for a fee waiver, and your waiver has been granted. Therefore, there is no billable fee for the processing of this request.

Today we are writing to partially respond to your request. We have enclosed three Excel spreadsheets which are being released to you in full. For your information, there are no faxes, letters, or texts that are responsive to this request. We have included the spreadsheets that the FWS uses to track information on grant packages. Things you should be aware of regarding this information:

1. These three lists show award actions that were submitted to the Department in review packages September 2017 - July 2018. There were no monthly packages submitted in January or February 2018 because the FWS was setting up the new administrative process.
2. From October - December, 2017 the Service submitted packages at the end of each month and titled them as the following month. The January package (067205) was actually submitted on December 22, 2017. We changed the naming convention to have the title of the packages match the month in which it was submitted starting in March 2018.
3. The lists are not sorted for the FOIA keywords. These are the records as we have them.
4. Awards that are still under review or that were waived/withdrawn without any questions from the Department were removed.
5. The data elements (spreadsheet columns) changed significantly over time, so they are not consistent between spreadsheets. Additionally, within the same spreadsheet some awards are missing data elements that we didn't start collecting until later packages.

As yet, we have been unable to make a determination on your request. We apologize for this delay. Although we hope that you will wait so that we can complete our search and review process, please note that you may seek dispute resolution services from our FOIA Public Liaison, Carrie Hyde-Michaels at (703) 358-2291 and/or seek dispute resolution services from the Office of Government Information Services (OGIS).

If you choose to contact OGIS, you may do so in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road - OGIS
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Web: <https://ogis.archives.gov>
Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

You may also file an appeal with the Department's FOIA/Privacy Act Appeals Officer regarding this delay. If you choose to appeal this delay, you may do so anytime between now and the date we make our determination on the FOIA request. Appeals arriving or delivered after 5 p.m. Eastern Time, Monday through Friday, will be deemed received on the next workday.

Your appeal must be made in writing. You may submit your appeal and accompanying materials to the FOIA/Privacy Act Appeals Officer by mail, courier service, fax, or email. All communications concerning your appeal should be clearly marked with the words: "FREEDOM OF INFORMATION APPEAL." You must also include with your appeal copies of all correspondence between you and FWS concerning your FOIA request, including your original FOIA request and FWS's response. Failure to include with your appeal all correspondence between you and FWS will result in the Department's rejection of your appeal, unless the FOIA/Privacy Act Appeals Officer determines (in the FOIA/Privacy Act Appeals Officer's sole discretion) that good cause exists to accept the defective appeal.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), email address and fax number (if available) in case the FOIA/Privacy Act Appeals Officer needs additional information or clarification of your appeal.

DOI FOIA/Privacy Act Appeals Office Contact Information

Department of the Interior
Office of the Solicitor
1849 C Street, N.W.
MS-6556 MIB
Washington, DC 20240

Attn: FOIA/Privacy Act Appeals Office

Telephone: (202) 208-5339
Fax: (202) 208-6677
Email: FOIA.Appeals@sol.doi.gov

We regret the delay and appreciate your consideration. For more information on FOIA Administrative Appeals, you may review the Department's FOIA regulations at [43 C.F.R. Part 2, Subpart H](#). If you have any questions, you may contact Lisa Van Alstyne by phone at (703) 358-1942 or by email at lisa_van_alstyne@fws.gov.

Sincerely,

Carrie Hyde-Michaels
FWS FOIA Officer

Enclosure